

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

ANTHONY BAYAD ,)
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)
Plaintiff ,) CIVIL ACTION
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)
JOHN CHAMBERS, PATRICIA)
RUSSO, ANTHONY) CASE NO. 04-cv-10468-GAO
SAVASTANO and CARL)
WIESE,)
Defendants ,)
)

**AFFIDAVIT IN SUPPORT OF REQUEST TO ENTER DEFAULT
(EXHIBITS ATTACHED)**

Anthony Bayad, being duly sworn, depose and states:

My name is Anthony Rayad

I am a United States Citizens and over 18 years of age, I have never traveled outside of the United Stated of America since the year of 1998 until I worked at Cisco Systems Inc., *the year 2000- 2001*, and with the Defendants where I was invited by Cisco Systems European 'Team to travel to Europe and to other part of the world at their request for job Interviews for an Advancement , and Opportunity. Unfortunately defendants denied me such opportunity . As I was required By Cisco System to Travel to Canada between the *year of 2000-2001* Cisco Systems Inc., Nova Scotia, to take the Cisco Systems Certification Internetworking Expert for Routing and Switching.(*for the 1st time*).

I was required for the first time to travel to South of America the country of Brazil (Cisco systems Inc., of Sao Palo), to take the Cisco Exams during the month of January 20002.(for the 2nd times).

I was also required for the *third time* to take the Cisco Systems Certification Internetworking Expert for Routing and Switching, South of America, Cisco Systems Inc., Brazil Sao Palo, month of *February the year of 2003.(for the 3rd times)*

Last, and for the fourth time, I was scheduled to Travel to Cisco Systems Brazil city of Sao Paolo on about *February of the year of 2004(4 times)*, But prejudicially as always I was discriminated against as I was denied access to Cisco Systems Inc., by Defendants and their attorney Mark Batten with the firm of ***BINGHAM MCCUTCHEN LLP.*** (The records and Exhibits of the proof of travel to Cisco between the *year 2000, 2003, and 2004* were denied to be provided to me by Attorney ***Mark Batten, and Cisco Systems Inc.;*** Please See Exhibits that are with Mark Batten for Cisco Systems Inc.).

I reside with my elderly parent and my four Brothers and two Sisters at 2 Magoun Avenue in Medford, Massachusetts. I am also unemployed and I have not earn any wages since my wrong full termination by defendants at Cisco Systems. I also did not file any tax form for the year ending *2003*, I did not make any income is because of Defendants who are always conspiring and discriminating against me, one time back at *Lucent Technologies Inc.*, second time *International Networking Services* (in the State of Florida), Third time at *Cisco Systems Inc. (in the State of Massachusetts)*, Forth and at present time *the year of 2004*, Defendants are interfering with my Civil Right and with my *company Global Internetworking Consulting* registered in Massachusetts, and fifth I was denied *access to Cisco Systems* to finish up my *Cisco Systems Certifications Internetworking Expert* Level that Cisco used in order to favor one group of preferred race over the minority like myself (*Scheduled for February the year of 2004*). I am fully competent to make this affidavit and I have personal knowledge of the facts stated in this affidavit.

I am Anthony Bayad the Plaintiff in this action under statue ***42 U.S.C §§§ 1981, 1985, & 704***

I filed a complaint against the defendants on about March 8, 2004 with the United States Clerk of the District of Massachusetts the city of Boston.

I was given by the clerk the ***SUMMONS IN CIVIL CASE DOCKETED 04- 10468GAO***, and the ***Waiver of Service of Summons***.

On about ***March 9, 2004, 12:34 am***, I Mailed ***the Complaint, the Summons of the Civil Case 04-10468GAO, and the Waiver of Service of Summons*** to Defendants John Chambers, ***Patricia Russo***, Anthony Savastano, and Carl Wiese.

I used the United States Postal Service to deliver the Complaints and the Waiver of Service of Summons to them, I also used the U.S. Postal Service to deliver the complaint on ***First Class*** and ***Certified Mail***, requiring to be Signed by the Defendants.

I instructed in the U.S. Postal Service forms to deliver the Complaint to ***Patricia Russo at the Address of 600 Mountain Avenue, City Murray Hill, New Jersey***.

The Summons was commanding Defendant Patricia Russo to answer to the complain on about ***March 19 , 2004***; See ***Exhibits hereto attached***; or to sign the waiver of Service of Summons and ***60*** days will be granted for an answer to the complaint due ***May 10 , 2004*** (because the 9th of May falls on weekend).

The ***Proof of Service*** was duly filed with this court accordingly with Rule 5 (d), By I (Anthony Bayad); ***See the United States District Court Docketed No 2 for proof of service filed accordingly to Rule 5(d) of The federal Civil Procedure.***

Defendants John Chambers, Anthony Savastano, Carl Wiese all have complied with the Summons and Returned their Waiver of Service on ***March 16 , 2004***, they filed it with the Court in compliance with Rule 5(d).

Defendant Patricia Russo ***did not complied*** by the ***Command of Summons*** nor ***did she answered the complaint*** nor ***she filed any pleading*** with the ***Court*** accordingly with the ***Rule 5(d)*** or time

limitation **Rule 12 (a)** of the Federal Civil Procedure , in this case is **20 days** to answer.

The United Stated Postal Service delivered the Complaint to Patricia Russo that was sent to her on about **March 9, 2004** and she was properly notified on about **10: 57 am March 11, 2004**, See **Exhibits hereto attached of the U.S Postal Service tracking & confirm of receipt.**

The Firm CHOATE, HALL and their attorneys **Lisa Gaulin and Tom Shirley**, have **SQUASHED** my request of discovery materials and Untied Stated District Court **Subpoena signed by the U.S. Clerk** and provided to me on about **April 5, 2004 as matter of right accordance of Rule 45.** **Defendant Patricia Russo has failed** to serve or **to file the waiver of service** accordingly to **Federal Civil Procedure 5 (d)**; and my complaint was filed on **March 8, 2004** with the United States District Court; and was properly submitted to her by **Certify First Class Mail** to **on March 9, 2004** according to **Federal Civ. P. Rule 4**; and Defendant **Patricia Russo** on **March 11, 2004** was properly notified of my (the Plaintiff) Complaint and Law suit against her; Patricia Russo has failed to serve and file answer or reply to my (Anthony Bayad) Complaint, and She (Patricia Russo) did not file or seek an **extension** and she give **no excuse** for delay.

Under Rule 12 (a) of the Federal Rule of Civil Procedure, the “**time**” limit for responding to Plaintiff ‘complaint is **20 days** and I (Anthony) gave her another **40 days** to file and **time** has totaled to **61 days** and the time has **expired** for Defendant **Patricia Russo**, and it has not been **extended** by any stipulation of her attorneys Tom Shirley and Lisa Gaulin or by any **Order of the Court**.

Patricia Russo is not an **infant or incompetent person**, I am personally familiar with her and I know she is working as a **Chief Executives Officer of Lucent Technologies** as she is responsible of making decisions on behalf the company at **present time**. I know that she is an adult and appears to capable of managing her own affairs.

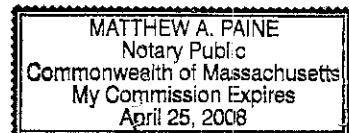
Patricia Russo could not be an infant or incompetent person within the meaning of **rule 55 (a)**

of the Federal Rule of Civil Procedure.

Patricia Russo is represented by Co-counsel of Lucent Technologies and Attorney Tom Shirely and Lisa Gaulin who has *filed notice of appearance on behalf of Patricia Russo, on about March 27, 2004, with clerk of the United State District Court of Massachusetts.*

At last Defendant Patricia Russo is not in Military service.

Signed by Anthony Bayad on 5/12/04 day at 1:00 pm Boston, Massachusetts.



A handwritten signature in black ink, appearing to read "A. Bayad".

SIGNATURE OF AFFIANT

A handwritten signature in black ink, appearing to read "ANTHONY BAYAD".

TYPED NAME OF AFFIANT

CERTIFICATE OF SERVICE

I CERTIFY THAT On May. 12.2004 a copy of this document was served BY
HAND ON :

LUCENT TECHNOLOGIES INC.,

CHOATE, HALL & STEWART

Lisa Gaulin ESQ,& Tom Shirley ESQ,

EXCHANGE PLACE

53 STATE STREET,

BOSTON, MA 02109

&

CISCO SYSTEMS INC,

JOHN CHAMBERS,

ANTHONY SAVASTANO,

CARL WIESE,

BINGHAM MCCUTCHEN LLP,

Mark Batten,

150 Federal Street,

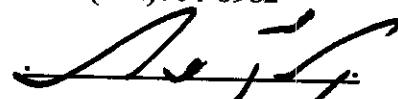
Boston, MA 02148

ANTHONYBAYAD Pro Se

2 MAGOUN AVENUE

MEDFORD, MA 02155

Tel: (781)704-8982


ANTHONYBAYAD

EXHIBITS